

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

vs.

CASE NO. 00-6360CR-DIMITROULEAS

RAMON VILLARES,

Defendant

**DEFENDANT RAMON VILLARES OBJECTIONS  
TO THE PRE-SENTENCE INVESTIGATION REPORT**

The Defendant, RAMON VILLARES, by and through his undersigned counsel, files these objections to the Pre-Sentence Investigation Report with this Honorable Court and as grounds states as follows:

I. As and for the Defendant's objection to the Pre-Sentence Investigation Report, the Defendant objects to paragraph 46 of the report where he is given an additional two (2) points since the offense involved more than minimal planning. In the instant case the Defendant's only role was that of an off-loader of the Canon cartridges. The Defendant was not involved in the planning of this theft and it was the only theft that he participated in pursuant the indictment. The Defendant should not receive an additional two points for his role in the instant offense. See: U.S. v. Tapia, 59 F.3d 1137 (11<sup>th</sup> Cir.1995); U.S. v. Garcia, 13 F.3d 1464 (11<sup>th</sup> Cir.) and U.S. v. Cooper, 42 F.3d 755 (2<sup>nd</sup> Cir.1994).

WHEREFORE, the Defendant moves this Honorable Court to enter an order granting this Motion.

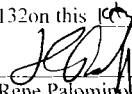
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JR

Respectfully submitted,

RENE PALOMINO JR., P.A.  
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Miami, Florida 33134  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to Donald Chase Esq., United States Attorneys Office, 99 NE 4<sup>th</sup> Street, Miami, FL 33132 and USPO Bridget Dinvaux, 300 NE 1<sup>st</sup> Avenue, Room 315, Miami, FL 33132 on this 16<sup>th</sup> day of June, 2001.

By:   
Rene Palomino Jr., Esq.  
FBN: 381292